IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA	)	CR No.: 3:07-1014-JFA
	)	
v.	)	ORDER
	)	
DELVIN ROE	)	
	)	
____________________________________	)	

Upon motion of the defendant under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the defendant's motions (ECF No. 1008 and 1045) are DENIED. The defendant was sentenced to the statutory mandatory minimum sentence of 240 months imprisonment for his conviction relating to crack cocaine. Whatever changes Amendment 750 might authorize in the underlying base offense level calculations, those Guideline changes cannot alter the ultimate statutory floor of 20 years imprisonment set by Congress.

IT IS SO ORDERED.

Joseph F. Anderson, Jr.

January 17, 2012
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge